HIGH COURT OF JUDICATURE FOR RAJASTHAN BENCH AT JAIPUR

S. B. WRIT MISC. APPLICATION NO.269/2016

IN

S. B. CIVIL WRIT PETITION NO.3066/2001

Bahadur Singh S/o Shri Chog Singh, aged about 75 years, R/o Karanpura, District- Churu (Rajasthan).

----Petitioner

Versus

1. State of Rajasthan through Chief Engineer, Irrigation Department, Government of Rajasthan, Jaipur.
2. Executive Engineer, Irrigation Division, Government of Rajasthan, Alwar.

----Respondents

For Petitioner(s) : Mr. Hemant Taylor for Mr. Rajeev Surana, adv

For Respondent(s) : None present.

HON'BLE MR. JUSTICE SANJEEV PRAKASH SHARMA

Judgment / Order

20/01/2017

The application has been filed for recall/clarification of the order dated 1/11/2006 after 10 years. The facts has been mentioned in the application for clarification also do not find support from the documents filed by the applicant himself.

This Court vide order dated 1/11/2006 had disposed of the writ petition as having become infructuous on account of passing of the order dated 30/1/2003 by which the petitioner has had been already granted the benefit of selection scale which he was claiming to have been withdrawn.

In view of the fact that the petitioner was given the relief by the department by releasing his selection scale on completion of 9/18 and 27 years. This Court rightly held the writ petition to have become infructuous.

The applicant-petitioner found that he has yet not been paid the retiral benefits in terms of the order dated 30/1/2003 and his pension has not been released. In the circumstances, while dismissing the present application, liberty is granted to the petitioner to take up the matter in appropriate proceedings and the dismissal of the present application would not come in his way.

The application is disposed of accordingly.

(SANJEEV PRAKASH SHARMA)J.

K Kumawat

RAJASTHAN HIGH COURT
सत्यमेव जयते